

## **REMARKS/ARGUMENTS**

Claims 1-33 are pending in the application. Claims 11, 13, and 16 were amended to put them into independent form.

Claims 1-5, 8, 21-27 and 29-32 were rejected under 35 U.S.C. §102(e) as being anticipated by Kejser et al., U.S. Patent No. 6,381,666 (hereinafter “Kejser”). Claims 6-7, 10, 19-20, 28, and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kejser in view of Universal Serial Bus Specification, Revision 2.0, April 27, 2000 (hereinafter “USB 2.0”). Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kejser in view of Mizutani et al., U.S. Patent No. 6,603,744 (hereinafter “Mizutani”). Claims 11-18 were objected to as being dependent on rejected base claims.

### **Claim Rejections Under 35 U.S.C. §102(e)**

Claims 1-5, 8, 21-27 and 29-32 were rejected under 35 U.S.C. §102(e) as being anticipated by Kejser. Kejser generally discloses an extended range hub with a local expander and a remote expander (*See Abstract*).

Kejser does not disclose sending a reply, in response to the preliminary message, for storage in the storage element; wherein after at least one secondary message is sent from the host to the storage element, the reply is to be sent from the storage element to the host, as recited by claims 1, 21, 24, and 29. Kejser states:

The target device generates an input data packet Is1 (32). According to the USB protocol, a device without an integrated cable must generate a response within 6.5 bit-times of the end of the corresponding request. Said input data packet Is1 (32) is received by the REX subsystem (5) and retransmitted as Is1 (26), over the external wiring, to the LEX (4). Said retransmitted response Is1 (26) is not immediately forwarded to the Host PC (1), but is stored within the memory of the LEX subsystem (4).

The Host PC (1) notices that it did not receive a response to its input data request R1

(20), and *retries the transaction* by generating a new request R2 (21) to the same USB address and end-point. Upon receiving request R2 (21), the LEX subsystem 4 retrieves response Is1 (26) from its memory buffers and forwards it to the Host PC as response Is1 (22). Said second request R2 (21) is repeated as R2 (27) through the LEX and forwarded as R2 (33) to the device. The target device generates a second response Is2 (34) which is retransmitted as Is2 (28) by the REX to the LEX. Response Is2 (28) is again stored within the memory of the LEX subsystem, from where it is sent to the host PC (1) as response Is2 (24) to a third request R3 (23). The process is repeated as necessary with requests R3 (23), R3 (29) and R3 (35) and responses Is3 (36) and Is3 (30).

(See Kejser, col. 14, lines 4-28)(emphasis added).

In other words, Kejser discloses the same request repeated, rather than a preliminary request followed by a secondary request. In Kejser, a response is sent to the request for data from a PC 1. That response is stored in the RAM 53 of the LEX. The LEX then sends the response to the computer when the request for data is retried after the computer times out without a response to the first request. In the present invention, a reply is sent in response to the preliminary message and stored in the storage element. After at least one secondary message is sent from the host to the storage element, the reply is sent from the storage element to the host. Two different messages are sent, rather than a repetition of a request for data.

Applicants respectfully submit, therefore, that elements of claim 1, 21, 24, and 29 are neither shown nor suggested by the cited reference. Claims 2-5, 8, 22-23, 25-27, and 30-32 depend from and further define claims 1, 21, 24, and claim 29, respectively. Accordingly reconsideration and withdrawal of the rejection of claims 1-5, 8, 21-27, and 29-32 under 35 U.S.C. §102(e) is respectfully requested.

#### **Claim Rejections Under 35 U.S.C. §103(a)**

Claims 6-7, 10, 19-20, 28, and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kejser in view of USB 2.0.

Applicants would submit that USB 2.0 is not a proper reference under 35 U.S.C. §103(a). USB 2.0 was published on April 27, 2000, less than one month prior to the application's filing date of March 30, 2001, making USB 2.0 an improper reference under 35 U.S.C. §102(b). Further, the writer of the cited portion of USB 2.0 is Intel, specifically applicant John Garney. Therefore, USB 2.0 is an improper reference under 35 U.S.C. §102(a), as well.

Alternatively, applicants would submit that, absent impermissible hindsight, Kejser and USB 2.0 would not be joined. Kejser is based on the use of USB 1.1. Kejser teaches storing a response in RAM of a local expander, then forwarding the response when the PC issues a retry request. Due to the increased speed of the USB 2.0 in comparison with the USB 1.1, this method of delayed transfer of data would not work. The retry messages would be sent at too great a speed, arriving before the data could be stored in the local expander. This factor would discourage one from combining the references.

Applicants respectfully submit, therefore, that elements of claims 1, 24, and 29 are neither shown nor suggested by the cited references. Claims 6-7, 10, 19-20, 28, and 33 depend from and further define claims 1, 24, and claim 29, respectively. Accordingly reconsideration and withdrawal of the rejection of claims 6-7, 10, 19-20, 28, and 33 under 35 U.S.C. §103(a) is respectfully requested.

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kejser in view of Mizutani. Mizutani discloses wireless communication between a wireless hub connected to the USB bus of a computer and a wireless port connected to the USB interface of a peripheral device.

Neither Kejser, Mizutani, nor any combination thereof discloses sending a reply, in response to the preliminary message, for storage in the storage element; wherein after at least one

secondary message is sent from the host to the storage element, the reply is to be sent from the storage element to the host, as recited by claim 1.

Applicants respectfully submit, therefore, that elements of claim 1 are neither shown nor suggested by the cited references. Claim 9 depends from and further defines claim 1.

Accordingly reconsideration and withdrawal of the rejection of claims 9 under 35 U.S.C. §103(a) is respectfully requested.

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

Respectfully submitted,

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By: \_\_\_\_\_

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